

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

LIV TRANSPORTATION INC.,

Plaintiff,

v.

ROBERT STONE and STI FREIGHT
MANAGEMENT INC.,

Defendants.

CASE NO.: 1:23-cv-00899-PLM-
SJB

HON. PAUL L. MALONEY

**DEFENDANT ROBERT STONE'S AND DEFENDANT STI FREIGHT
MANAGEMENT INC.'S AFFIRMATIVE DEFENSES**

NOW COMES Defendant Robert Stone and Defendant STI Freight Management Inc., hereafter "Defendants," and do hereby state as their Affirmative Defenses the following:

1. Plaintiff has failed to state facts sufficient to constitute a cause of action against the Defendants, STI Freight Management Inc. and Defendant Robert Stone.
2. Each and every cause of action therein is barred by the applicable statutes of limitations.
3. The causes of action attempted to be stated and set forth in said Complaint herein were not timely filed and are barred by the applicable statute of limitations set forth by the Code of Civil Procedure.
4. The causes of action alleged herein are barred under the doctrine of laches.

5. The causes of action alleged herein are barred due to the doctrine of unclean hands.
6. The causes of action alleged herein are barred under the doctrine of res judicata.
7. The causes of action alleged herein are barred under the doctrine of collateral estoppel.
8. Plaintiff has failed to show that there is no genuine issue of material fact and the Defendant is entitled to judgment as a matter of law.
9. Plaintiff has no admissible evidence to support the claims contained in its complaint and Defendants are entitled to judgment as a matter of law.
10. Any and all statements allegedly attributable to Defendants were truthful and based on the Defendants' personal experiences with the Plaintiff. The truth is an absolute defense.
11. Plaintiff has failed to demand retraction.
12. Plaintiff is bound by an agreement that provides that arbitration is the exclusive recourse for any disputes arising out of the Transportation Agreement between Plaintiff and Defendants, including but not limited to Federal, State, or Provincial statutory claims.
13. Defendants reserve the right to amend these affirmative defenses up until the date of trial.

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WHEREFORE, Defendants Robert Stone and STI Freight Management do hereby pray that this frivolous and meritless matter is dismissed with costs and with prejudice.

Dated: November 27, 2023

Respectfully submitted,

Bolhouse, Hofstee & McLean, P.C.

By: /s/ [Michelle M. McLean](#)

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